



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: J.C. Hunt, et al.

Serial No.: Continuation of prior application No. 08/856,155, Examiner B. Brumback, Group /Art Unit 1642

File No. of prior application: 4573.US.C5  
Filed: May 14, 1997

For: MOUSE MONOCLONAL ANTIBODY (5-21-3) TO HUMAN IMMUNODEFICIENCY VIRUS GP41 PROTEIN

Case No.: 4573.US.C6

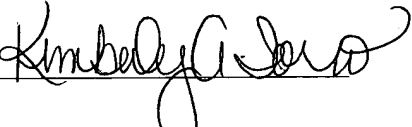
**CERTIFICATE OF MAILING (37 CFR 1.8 (a))**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the:

Assistant Commissioner for Patents  
Box Filing Date  
Washington, D.C. 20231, on:

January 10, 2002

Name of person signing  
this certificate: Kimberly A. Iorio

Signature: 

**STATEMENT OF MAILING OF PATENT APPLICATION  
UNDER 37 C.F.R. 1.6(e)**

Assistant Commissioner for Patents  
Box Filing Date  
Washington, D.C. 20231

Dear Sir:

I, Kimberly A. Iorio, an employee of Abbott Laboratories in the Patent and Trademark Department, attempted to mail the following documents, enclosed herein as Attachment A, via U.S. Express Mail addressed to the U.S. Patent and Trademark Office on November 19, 2001:

Utility Patent Application a continuation of prior application No. 08/856,155;  
Fee Transmittal;  
Copy of original Specification, Claims, and Abstract;  
Copy of Drawings;  
Copy of original Declaration and Power of Attorney;  
Copy of Original Assignment;  
Request for Three-Month Extension of Time, in duplicate;  
Transmittal Letter; and  
Two Return Receipt Postcards.

I was refused express mail service from the United States Postal Service due to government security measures, as more fully set forth in the November 16, 2001, U.S. Postal Service Memo entitled Temporary Suspension of Express Mail Service to Washington, DC ZIP Codes 202 through 205, enclosed herein as Attachment B.

Once advised that Express Mail to Washington, DC ZIP Codes 202 through 205 was suspended, I deposited the above-referenced documents along with the Suspension of Express Mail Memo with the U.S. Postal Service as First Class Mail addressed to the to

*Receipt date granted  
is 11/19/01.  
J. Chang  
from OPH*


the U.S. Patent and Trademark Office, Box Patent Application, Assistant Commissioner for Patents, Washington, DC 20231-0001, enclosed herein as Attachment C.

To date, our office has not yet received verification from the U.S. Patent and Trademark Office of receipt of our above-named application. If you require additional evidence or information to determine that the above-referenced patent application was timely filed, please contact me at (847) 937-6369.

I hereby declare that all statements made on information and belief are believed to be true, and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the instant patent specification or any patent issuing therein.

Respectfully submitted,

Abbott Laboratories  
D-377, AP6D-2  
100 Abbott Park Road  
Abbott Park, IL 60064-3500  
(847) 937-6369  
(847) 938-2623 FAX

  
\_\_\_\_\_  
Kimberly A. Iorio



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: J.C. Hunt, et al.

Serial No.: Continuation of prior application No.  
08/856,155, Examiner B. Brumback, Group /Art  
Unit 1642

File No. of prior application: 4573.US.C5  
Filed: May 14, 1997

For: MOUSE MONOCLONAL ANTIBODY (5-  
21-3) TO HUMAN IMMUNODEFICIENCY  
VIRUS GP41 PROTEIN

Case No.: 4573.US.C6

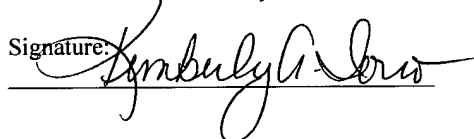
**CERTIFICATE OF MAILING (37 CFR  
1.8 (a))**

I hereby certify that this paper (along with any  
paper referred to as being attached or enclosed) is  
being deposited with the United States Postal  
Service on the date shown below with sufficient  
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Assistant Commissioner for Patents  
Box Filing Date  
Washington, D.C. 20231, on:

January 10, 2002

Name of person signing  
this certificate: Kimberly A. Iorio

Signature: 

**TRANSMITTAL LETTER**

Assistant Commissioner for Patents  
Box Filing Date  
Washington D.C. 20231

Dear Sir:

Enclosed herewith is the Statement of Mailing of Patent Application Under 37 C.F.R.  
1.6(e) Transmittal Letter for MOUSE MONOCLONAL ANTIBODY (5-21-3) TO HUMAN  
IMMUNODEFICIENCY VIRUS GP41 PROTEIN.

Also enclosed is: Return Receipt Postcard

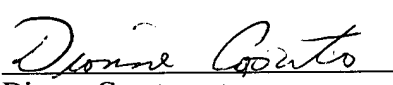
The Commissioner is hereby authorized to charge any additional filing fees required  
under 37 CFR 1.17 concerning this transaction, or to credit any overpayment, to Deposit  
Account No. 01-0025. **A duplicate copy of this sheet is enclosed.**



23492

ABBOTT LABORATORIES  
Telephone: (847) 938-3137  
Facsimile: (847) 938-2623

Respectfully submitted,  
J. C. Hunt, et al.

  
Dianne Casuto  
Registration No. 40,943  
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicant: J.C. Hunt, et al.

Serial No.: Continuation of prior application No.  
08/856,155, Examiner B. Brumback, Group /Art  
Unit 1642

File No. of prior application: 4573.US.C5

Filed:

For: MOUSE MONOCLONAL ANTIBODY (5-  
21-3) TO HUMAN IMMUNODEFICIENCY  
VIRUS GP41 PROTEIN

Case No.: 4573.US.C6

Date: November 19, 2001

EXPRESS MAIL NO.: EL507386035US

Certificate of Mailing under 37 CFR §1.10:

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Assistant Commissioner for Patents  
Washington, D.C. 20231

on November 19, 2001

Name of person signing  
this certificate: Kimberly A. Iorio

Signature:

TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington D.C. 20231

Dear Sir:

Enclosed herewith is the Utility Patent Application Transmittal Letter of Jeffrey C. Hunt, et  
al., for MOUSE MONOCLONAL ANTIBODY (5-21 -3) TO HUMAN IMMUNODEFICIENCY VIRUS GP41  
PROTEIN.

Also enclosed are: Fee Transmittal, in duplicate (1 Page)  
Copy of Original Specification, Claims and Abstract (41 Pages)  
Copy of Drawings/Figures (6 Pages)  
Copy of Original Executed Declaration and Power of Attorney (2  
Pages)  
Copy of Original Assignment (1 Page)  
Request for Three-Month Extension of Time, in duplicate  
Two Return Receipt Postcards

The Commissioner is hereby authorized to charge any additional filing fees required under 37  
CFR 1.17 concerning this transaction, or to credit any overpayment, to Deposit Account No. 01-0025.

A duplicate copy of this sheet is enclosed.

Abbott Laboratories  
Dept. 377/AP6D-2  
100 Abbott Park Road  
Abbott Park, IL 60064-6050  
Tel. No. (847) 938-3137  
Fax No. (847) 938-2623

Respectfully submitted,  
J.C. Hunt, et al.

Cheryl L. Becker  
Registration No. 35,441  
Attorney for Applicant(s)



Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2000

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$ ) 1,846.00

## Complete if Known

Application Number	
Filing Date	
First Named Inventor	Jeffrey C. Hunt
Examiner Name	B. Brumback
Group / Art Unit	1642
Attorney Docket No.	4573.US.C6

## METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit  
Account  
Number

01-0025

Deposit  
Account  
Name

Abbott Laboratories

- ☒ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

2. ☐ Payment Enclosed:

☐ Check ☐ Money Order ☐ Other

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 690	201 345	Utility filing fee	740.00
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 690	208 345	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ ) 740.00

### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
21	-20** = 1	x 18	= 18
Independent Claims	5	-3** = 2	x 84 = 168
Multiple Dependent			= 0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
103 18	203 9	Claims in excess of 20	
102 78	202 39	Independent claims in excess of 3	
104 280	204 130	Multiple dependent claim, if not paid	
109 78	209 39	** Reissue independent claims over original patent	
110 18	210 9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$ ) 186.00

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	0.00
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 380	216 190	Extension for reply within second month	
117 870	217 435	Extension for reply within third month	920.00
118 1,360	218 680	Extension for reply within fourth month	
128 1,850	228 925	Extension for reply within fifth month	
119 300	219 150	Notice of Appeal	
120 300	220 150	Filing a brief in support of an appeal	
121 260	221 130	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,210	241 605	Petition to revive - unintentional	
142 1,210	242 605	Utility issue fee (or reissue)	
143 430	243 215	Design issue fee	0.00
144 580	244 290	Plant issue fee	0.00
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	0.00
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 690	246 345	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 690	249 345	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 920.00

## SUBMITTED BY

Name (Print/Type)	Cheryl L. Becker	Registration No. (Attorney/Agent)	35,441	Telephone	847-938-3137
Signature	Cheryl L. Becker	Date	11-19-01		

## WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

PTO/SB/05 (4/98)  
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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> (Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))	Attorney Docket No. <b>4573.US.C6</b>
	First Inventor or Application Identifier <b>Jeffrey C. Hunt</b>
	Title <b>Mouse Monoclonal Antibody (5-21-3) to Human Immunodeficiency Virus GP41 Protein</b>
	Express Mail Label No. <b>EL507386035US</b>

APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.	ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	
1. <input checked="" type="checkbox"/> * Fee Transmittal Form (e.g., PTO/SB/17) (Submit an original and a duplicate for fee processing)	5. <input type="checkbox"/> Microfiche Computer Program (Appendix)	
2. <input checked="" type="checkbox"/> Specification [Total Pages <b>41</b> ] (preferred arrangement set forth below) <ul style="list-style-type: none"><li>- Descriptive title of the Invention</li><li>- Cross References to Related Applications</li><li>- Statement Regarding Fed sponsored R &amp; D</li><li>- Reference to Microfiche Appendix</li><li>- Background of the Invention</li><li>- Brief Summary of the Invention</li><li>- Brief Description of the Drawings (if filed)</li><li>- Detailed Description</li><li>- Claim(s)</li><li>- Abstract of the Disclosure</li></ul>	6. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Computer Readable Copy</li><li>b. <input type="checkbox"/> Paper Copy (identical to computer copy)</li><li>c. <input type="checkbox"/> Statement verifying identity of above copies</li></ul>	
3. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [Total Sheets <b>6</b> ]	<b>ACCOMPANYING APPLICATION PARTS</b> 7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of Attorney (when there is an assignee) 9. <input type="checkbox"/> English Translation Document (if applicable) 10. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 11. <input type="checkbox"/> Preliminary Amendment 12. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) (Should be specifically itemized) * Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application (PTO/SB/09-12) Status still proper and desired 14. <input type="checkbox"/> Certified Copy of Priority Document(s) (if foreign priority is claimed) 15. <input checked="" type="checkbox"/> Other: <u>Request for 3-Month Extension of Time</u>	
4. Oath or Declaration [Total Pages <b>2</b> ] <ul style="list-style-type: none"><li>a. <input type="checkbox"/> Newly executed (original or copy)</li><li>b. <input checked="" type="checkbox"/> Copy from a prior application (37 C.F.R. § 1.63(d)) (for continuation/divisional with Box 16 completed)<ul style="list-style-type: none"><li>i. <input type="checkbox"/> <u>DELETION OF INVENTOR(S)</u> Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).</li></ul></li></ul>		
<b>* NOTE FOR ITEMS 1 &amp; 13 IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).</b>		
16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment: <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP) of prior application No: <b>08/856,155</b> Prior application information: Examiner <b>Brumback, B.</b> Group / Art Unit: <b>1642</b> <b>For CONTINUATION or DIVISIONAL APPS only:</b> The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.		

<b>17. CORRESPONDENCE ADDRESS</b>	
<input type="checkbox"/> Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here)	or <input checked="" type="checkbox"/> Correspondence address below

Name	<b>Cheryl L. Becker</b>		
	<b>Abbott Laboratories</b>		
Address	<b>D-377, AP6D</b>		
	<b>100 Abbott Park Road</b>		
City	<b>Abbott Park</b>	State	<b>IL</b>
		Zip Code	<b>60064</b>
Country		Telephone	<b>847-938-3137</b>
		Fax	<b>847-938-2623</b>

Name (Print/Type)	<b>Cheryl L. Becker</b>	Registration No. (Attorney/Agent)	<b>35,441</b>
Signature	<i>Cheryl L. Becker</i>	Date	<b>35 441</b>

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